

FOX ROTHSCHILD LLP

Karen A. Confoy
997 Lenox Drive, Bldg 3
Lawrenceville, New Jersey 08648
(609) 844-3033 (Telephone)/(609) 896-1469 (Facsimile)
kconfoy@foxrothschild.com

KNOBBE, MARTENS, OLSON & BEAR, LLP

Jay R. Deshmukh
William R. Zimmerman (Admitted Pro Hac Vice)
1717 Pennsylvania Avenue, Suite 900
Washington, DC 20006
(202) 640-6400 (Telephone)/(202) 640-6401 (Facsimile)
jay.deshmukh@knobbe.com
bill.zimmerman@knobbe.com

KNOBBE, MARTENS, OLSON & BEAR, LLP

Thomas P. Krzeminski (Pro Hac Vice pending)
William O. Adams (Pro Hac Vice pending)
Karen M. Cassidy (Pro Hac Vice pending)
2040 Main Street, 14th Floor
Irvine, CA 92614
(949) 760-0404 (Telephone)/(949) 760-9502 (Facsimile)
tpk@knobbe.com
william.adams@knobbe.com
karen.cassidy@knobbe.com

Attorneys for Defendants Wockhardt USA LLC and Wockhardt Ltd.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

NOVARTIS PHARMACEUTICALS)
CORPORATION,)

Plaintiff,)

v.)

ACTAVIS LLC; APOTEX, INC.;)
APOTEX, CORP.; GLAND PHARMA)
LTD.; DR. REDDY'S LABORATORIES,)
INC.; DR. REDDY'S LABORATORIES)
LTD.; EMCURE PHARMACEUTICALS)
USA, INC.; EMCURE)
PHARMACEUTICALS, LTD; HOSPIRA,)

**DOCUMENT
ELECTRONICALLY FILED**

Civil Action No. 13-cv-1028-SDW-MCA

INC.; PHARMACEUTICS)
INTERNATIONAL INC.; SAGENT)
PHARMACEUTICALS, INC.; ACS)
DOBFAR INFO S.A.; STRIDES, INC.;)
AGILA SPECIALTIES PRIVATE LTD.;)
SUN PHARMA GLOBAL FZE;)
CARACO PHARMACEUTICAL)
LABORATORIES, LTD; SUN)
PHARMACEUTICAL INDUSTRIES)
LTD.; WOCKHARDT USA LLC; and)
WOCKHARDT LTD.)
)
)
Defendants.)

**[PROPOSED] ORDER GRANTING DEFENDANTS
WOCKHARDT USA LLC AND WOCKHARDT LTD.'S MOTION TO DISMISS
COUNT II OF THE CORRECTED AMENDED COMPLAINT**

THIS MATTER having come before the Court on motion of Defendants Wockhardt USA LLC and Wockhardt Ltd. (collectively, “Wockhardt”), by counsel Fox Rothschild LLP and Knobbe, Martens, Olson & Bear, LLP, for entry of an order dismissing Count II of the Corrected Amended Complaint filed by Novartis Pharmaceuticals Corporation (“Plaintiff”), pursuant to Fed. R. Civ. P. 12(b)(6), and Plaintiff, through counsel McCarter & English LLP and Wilmer Cutler Pickering Hale & Dorr LLP, having received due notice and being given the opportunity to be heard, and the Court having considered all materials presented by the parties to the Court relating to that Motion, and all arguments of Counsel, and for good cause showing;

IT IS on this ____ day of _____, 2013, **ORDERED** that Wockhardt’s Motion to Dismiss Count II of the Corrected Amended Complaint is GRANTED, and Count II of the Corrected Amended Complaint be and hereby DISMISSED as to Wockhardt.

Honorable Susan Davis Wigenton
United States District Judge